

**2.**  
**9/26/2013**

**MINUTES**  
**July 25, 2013**

Present: Phil Williams, **Chair**  
Nancy Wright, **Vice Chair**  
Terry Henderson  
Kevin Jeffries  
Eugene Montanez  
Jeff Stone  
Stephen Tomanelli

Present Staff: George J. Spiliotis, Executive Officer  
Adriana Romo, Local Government Analyst  
Crystal Craig, Local Government Analyst  
Elena Medina, Executive Assistant  
Anita Willis, LAFCO Counsel

**1.1 CALL TO ORDER AND SALUTE TO THE FLAG.**

The meeting was called to order by Chair Williams at 9:34 a.m.

**1.2 ROLL CALL.**

**2. APPROVAL OF MINUTES OF MAY 23, 2013.**

Moved (Montanez) seconded (Wright) to approve the Minutes of May 23, 2013 meeting.  
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**3. CONSENT (NON-HEARING ITEMS).**

There were no consent items.

**4. PUBLIC HEARINGS:**

**NEW:**

- a. LAFCO 2013-03-3-Reorganization to Include Concurrent Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (103<sup>rd</sup> Fringe).

Ms. Romo presented the proposal as outlined in the staff report and further stated that staff was recommending approval with standard terms and conditions.

Chair Williams opened the public hearing. There being no proponents or opponents wishing to speak, the public hearing was closed.

Moved (Henderson) seconded (Wright) to approve LAFCO 2013-03-3-Reorganization to Include Concurrent Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (103<sup>rd</sup> Fringe) as recommended by staff.

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- b. LAFCO 2013-06-2-Sphere of Influence Amendments to the City of Norco (removal) and to the City of Corona (addition) (Cota St.).
- c. LAFCO 2013-07-2-Reorganization to Include Detachment from the City of Norco and Annexation 115 to the City of Corona (Cota St.).

Ms. Craig presented the proposals noted above as outlined in the staff report. Ms. Craig stated that there were no service concerns associated with the annexation and both cities were supportive of the boundary change. She further stated that staff's recommendation was for approval upon the completion of vacation of Cota Street. Ms. Craig clarified two minor errors in the staff report regarding recommendations 7.b. and 7.c. She further stated that on recommendation 7.b. the language was replaced to read "There are no landowners as defined by Section 56048 within the affected territory" and on recommendation 7.c. the language was replaced to read, "No" subject agency has submitted written opposition to a waiver of protest proceedings.

Chair Williams opened the public hearing and there being no opponents or proponents wishing to speak the public hearing was closed.

Moved (Henderson) seconded (Wright) to approve LAFCO 2013-06-2-Sphere of Influence Amendments to the City of Norco (removal) and to the City of Corona (addition) (Cota St.) as recommended by staff.

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Moved (Henderson) seconded (Wright) to approve LAFCO 2013-07-2-Reorganization to Include Detachment from the City of Norco and Annexation 115 to the City of Corona (Cota St.) per the corrected staff recommendation.

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## **5. PUBLIC COMMENTS.**

There were no public comments.

## **6. RECEIVE AND FILE:**

- a. Information Items: Proposals Received (Government Code Section 56857, 56751):

There were no information items.

- b. LAFCO Monthly Expenditure Review.

Moved (Henderson) seconded (Tomanelli) to receive and file item 6.b. Monthly Expenditure Review.

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7. **LAFCO 2012-13-1-REQUEST FOR EXTRA TERRITORIAL SERVICE PROVISION-CITY OF CANYON LAKE (EVMWD PROPERTY) (Continued from March 28, 2013; Staff recommends continuance to July 25, 2013).**

Ms. Romo presented the report for this request and stated that Elsinore Valley Municipal Water District was no longer working on an agreement and will not be submitting an application for annexation; therefore, staff was recommending denial of this request.

Moved (Henderson) seconded (Wright) to deny LAFCO 2012-13-1-Request for Extra Territorial Service Provision-City of Canyon Lake (EVMWD Property) as recommended by staff.

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**8. LEGISLATIVE REPORT: UPDATE ON CURRENT LEGISLATION AND POSITIONS.**

Mr. Spiliotis gave a summary of the current bills as outlined in the staff report and stated that there had not been a lot of activity because the legislature had been in recess.

Mr. Spiliotis stated that SB 56 had been amended to also apply prospectively to future incorporations and annexations and it had passed the Senate Governance and Finance Committee. He said that the next step was for it to go to the Senate Appropriations Committee which will be taken up after the recess.

Mr. Spiliotis stated that AB 743, which would remove the sunset date for island annexations, had made it through both the Assembly and the Senate Committees. He said that there were some minor amendments in the Senate and it will be going back to the Assembly for concurrence.

Mr. Spiliotis stated that AB 1427, which CALAFCO had sponsored, is proceeding along fine and was now waiting for signature by the Governor.

Mr. Spiliotis stated that he has been informed that SB 772 will be amended to address an issue related to providing service to customers of the County Water Company. He said that this bill will not address any LAFCO issues specifically.

Mr. Spiliotis stated that AB 453 was amended to simply add LAFCOs to a list of agencies that could be eligible to receive sustainable community grants. He further stated that there was a handful of LAFCOs that were willing to pursue this. He stated that this originally was a "no lose" situation, however, the bill was recently amended in the Senate to actually change LAFCO Law. He said that if this bill was passed, the language would be changed to require LAFCOs to consider the following language in the bill: "the effect development in the area is likely to have on meeting the region's greenhouse gas emissions reduction targets established by the State Air Resources Board in adopted and future plans...". He said that the CALAFCO Board discussed this recently and their main concern was actually with the words "future plans" because no one really knew what that meant.

Mr. Spiliotis stated that the author of this bill approached LAFCOs to make them eligible for grants. He said that the CALAFCO Board was supporting the amendments to keep the bill going. Mr. Spiliotis stated that these amendments were requested specifically by the Chair of the National Resources and Water Committee. He said that in order to continue the dialogue, CALAFCO was supporting the amendments at this time and has requested that the term "future plans" be eliminated from the bill.

Commissioner Henderson stated that she would like to see the Commission continuing to work with Senator Emmerson on SB 772.

Mr. Spiliotis stated that staff might have new language by the next LAFCO meeting. Mr. Spiliotis stated that according to the intent here, LAFCO would not have any additional responsibilities with the County Water Company situation. Mr. Spiliotis stated that depending on the language, LAFCO would either be neutral or potentially in support if it would improve services to the community.

Commissioner Henderson expressed that she was not in support of AB 453.

**9. REQUEST FOR ALTERNATE MEETING LOCATION AND TIME FOR SEPTEMBER MEETING.**

Mr. Spiliotis stated that staff had received a letter from a member of the Temescal Valley Community on behalf of the residents to request that the September LAFCO meeting be held at an alternate location and at a different time. He said that the September meeting, the Commission will be hearing the Temescal Valley annexation to the City of Corona. Mr. Spiliotis stated that the request was attached to the report. He said that Commissioner Jeffries had requested that this item be placed on the agenda for the Commission's consideration. Mr. Spiliotis asked the Commission to take into consideration when making their decision accessibility and audio visual capabilities.

Chair Williams asked if anyone wanted to speak on this item.

Patti Corder, 9361 Hughes Drive, Corona, CA 92885. Ms. Corder stated that she was retired and would be able to attend the meeting but the request was for those who have to work during the day and would not be able to attend the morning meeting. She asked the Commission to give these people the opportunity to express their opinion by having the meeting in the evening and at a different venue closer to their area.

After further discussion by the Commission, the Commission agreed to hold the meeting at their regular location, the Board of Supervisors Board Room, starting at 4:00 p.m.

Moved (Stone) seconded (Montanez) to have the September 26, 2013, LAFCO Meeting at its regular location, Board of Supervisors Board Room, County Administrative Building and start said meeting 4:00 p.m.

**10. DESIGNATION OF VOTING DELEGATES FOR CALAFCO BUSINESS MEETING.**

Moved (Henderson) seconded (Stone) to appoint Commissioner Stephen Tomanelli as the Regular Voting Delegate and Commissioner Eugene Montanez as the Alternate Voting Delegate for the CALAFCO Annual Business Meeting and Regional Caucus.

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**11. PROCLAMATION REGARDING THE 50<sup>TH</sup> ANNIVERSARY OF LOCAL AGENCY FORMATION COMMISSIONS.**

Mr. Spiliotis stated that CALAFCO had requested that local LAFCOs commemorate the 50<sup>th</sup> Anniversary of the adoption of the Knox-Nisbet Act that created LAFCOs. He commented that Senator Nisbet was from the Inland Empire representing a portion of San Bernardino County. Mr. Spiliotis stated that staff had put together a proclamation noting the significant events and achievements of the Riverside LAFCO. He stated that staff will be presenting the proclamation at the annual conference in late August. Mr. Spiliotis commented that the first meeting of the Riverside LAFCO was held at the San Gorgonio Inn in the City of Banning which was demolished a year or two ago. Mr. Spiliotis also commented that Supervisor Norman Davis was the first LAFCO Chairman of the Riverside LAFCO, who he had the pleasure of meeting years ago before his passing.

Moved (Jeffries) seconded (Stone) to approve and sign the proclamation celebrating the 50<sup>th</sup> Anniversary of Local Agency Formation Commissions to be presented at the Annual CALAFCO Conference.

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**12. REPORT ON PROTEST PROCEEDINGS (ORAL REPORT).**

- a. LAFCO 2010-01-1&2-Annexation to Northwest Mosquito and Vector Control District (City of Riverside remainder).

Mr. Spiliotis stated that staff had been waiting for confirmation of the vote on an assessment, which was a condition of the annexation. Mr. Spiliotis said the assessment was approved by the voters of the City of Riverside and the annexation to the district had been recorded.

**13. INFORMATION FROM CALAFCO.**

Mr. Spiliotis stated that in their packet was the CALAFCO Quarterly Newsletter from CALAFCO regarding actions that the Board had taken on different matters. Mr. Spiliotis also stated that he had included a calendar of events for CALAFCO related activities. He stated that additionally, in their packets was information regarding the Annual Conference for their review.

**14. MISCELLANEOUS REPORTS.**

There were no miscellaneous items.

**15. COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS.**

There were no Commissioner comments.

**16. ADJOURNMENT.**

The meeting was adjourned at 10:20 a.m. to September 26, 2013.

Respectfully submitted,

George J. Spiliotis  
Executive Officer